

KNOBBE, MARTENS, OLSON & BEARA LIMITED LIABILITY PARTNERSHIP INCLUDING
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501 WEST BROADWAY

SUITE 1400

SAN DIEGO, CALIFORNIA 92101-3505

(619) 235-8550

FAX (619) 235-0176

INTERNET: WWW.KNOBB.COM

LOUIS J. KNOBBE*
DON W. MARTENS*
GORDON H. OLSON**
JAMES B. BEAR
DARRELL L. OLSON*
WILLIAM B. BUNKER
WILLIAM H. NIEMAN
LOWELL ANDERSON
ARTHUR S. ROSE†
JAMES F. LESNIAK
NED A. ISRAELSEN
DREW S. HAMILTON
JERRY T. SEWELL
JOHN B. SGANGA, JR.
EDWARD A. SCHLATTER
GERARD VON HOFFMANN
JOSEPH R. RE
CATHERINE J. HOLLAND
JOHN M. CARSON
KAREN VOGEL WEIL†
ANDREW H. SIMPSON
JEFFREY L. VAN HOOSEAR
DANIEL E. ALTMAN
ERNEST A. BEUTLER
MARGUERITE L. GUNN
STEPHEN C. JENSEN
VITO A. CANUSO III

WILLIAM H. SHREVE
LYNDA J. ZADRA-SYMES**
STEVEN J. NATAUPSKY
PAUL A. STEWART
JOSEPH F. JENNINGS
CRAIG S. SUMMERS
ANNEMARIE KAISER
BRENTON R. BABCOCK†
THOMAS F. SMEGAL, JR.
MICHAEL H. TRENHOLM
DIANE M. REED
JONATHAN A. BARNEY
RONALD J. SCHOENBAUM
JOHN R. KING
FREDERICK S. BERRETTA
NANCY WAYS VENSKE
RICHARD C. GILMORE
JOHN P. GIEZENTANNER
ADEEL S. AKHTAR
THOMAS R. ARNO
DAVID N. WEISS
DANIEL HART
JAMES T. HAGLER
DOUGLAS G. MUEHLHAUSER
LORI L. YAMATO
STEPHEN M. LOBBIN
ANN A. BYUN

ROBERT F. GAZDZINSKI
FRED C. HERNANDEZ
STACEY R. HALPERN†
MICHAEL K. FRIEDLAND
DALE C. HUNT
LEE W. HENDERSON
DEBORAH S. SHEPHERD
RICHARD E. CAMPBELL
MARK M. ABUMERI
JON W. GURKA
KATHERINE W. WHITE
JOSEPH J. BASISTA
ERIC M. NELSON
ALEXANDER C. CHEN
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MICHAEL T. CRUZ
JOHN P. MUSONE
ROBERT J. ROBY
SABING H. LEE
JENNY G. KO
KAROLINE A. DELANEY
JOHN W. HOLCOMB
JAMES J. MULLEN, III
JOSEPH S. CIANFRANI
JOSEPH M. REISMAN
WILLIAM R. ZIMMERMAN

OF COUNSEL
JERRY R. SEILER
JAPANESE PATENT ATTY
KATSUHIRO ARAI**
EUROPEAN PATENT ATTY
MARTIN HELLEBRANDT
KOREAN PATENT ATTY
MINCHEOL KIM
SCIENTISTS & ENGINEERS
(NON-LAWYERS)
RAIMOND J. SALENIKS**
RENEE E. CANUSO**
MICHAEL L. FULLER**
NEIL S. BARTFELD**
MICHAEL J. GILLY**
DANIEL E. JOHNSON**
JEFFERY KOEPKE
KHURRAM RAHMAN
JENNIFER A. HAYNES

October 23, 1998

VIA FEDERAL EXPRESS

Ms. Estella Pineiro
Executive Patent Secretary
PACESETTER, INC.
15900 Valley View Court
P.O. Box 9221
Sylmar, CA 91392-9221

RECEIVED

OCT 28 1998

PACESETTER, LEGAL DEPT.

Re: U.S. Patent Applications
Title: A SELF-ANCHORING CORONARY SINUS LEAD
Our Reference: PACESET.064A
Your Reference: 97E 1010
and
U.S. Patent Application
Title: A SELF-ANCHORING CORONARY SINUS LEAD
Our Reference: PACESET.064B
Your Reference: 97E 1010

Dear Estella:

Enclosed are copies of two patent applications prepared in connection with the above-identified inventions. Please instruct the inventors to carefully review the applications for accuracy and completeness, and make any corrections or additions prior to filing the applications in the Patent Office. More particularly, please ensure that the inventors respond to questions/comments which were included in capital letters inside brackets in the text of each application.

Pursuant to your instructions, an electronic copy of the application in Word is also enclosed, as well as formal drawings. We have also enclosed a revised completed Information Disclosure Statement (Form PTO-1449) for filing with each of the two applications.

In response to Lisa's inquiry as to the possible order of listing inventor names, for the PACESET.064A application, I suggest the inventor names be listed in the following order: A. Pianca, G. Bornzin, K. Morgan, and D. Vachon. For the PACESET.064B application, I suggest the inventor names be listed in the following order: D. Vachon, A. Pianca, G. Bornzin, and K. Morgan. Of course, the foregoing order of inventor names may be modified as the inventors may desire.

Also, pursuant to instructions from Lisa and/or Malcolm in connection with the above-identified applications, please note that the two applications are drafted to include the following:

1. title language which includes the coronary sinus;
2. background of the invention as revised by the inventors, with the addition of a description of the disadvantages of the prior art, e.g., U.S. Patent No. 5,387,233 issued to Alferness et al. (as discussed during our meeting on the subject);
3. summary of the invention as revised by the inventors (with minimal changes) for the PACESET.064A application, and modified to track the specific invention being claimed for the PACESET.064B application;
4. subject matter as applied to the coronary sinus region for the broadest protection sought; and
5. independent claims which include a preamble having patentable weight, and structural elements having functional limitations such as "anchor ... in the coronary sinus," whenever possible.

Please note that, in view of their substantially similar specification, the subject matter of the two applications may be related for the purpose of examination by inserting a statement to that effect in the beginning of each application.

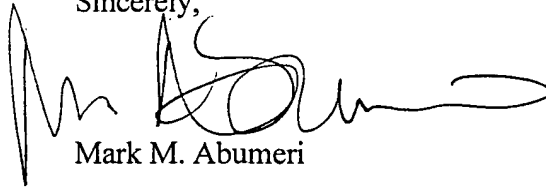
The patent laws require that the application describe the invention, and the methodology for making and using it, completely and accurately such that a person who has an ordinary amount of skill in the technology pertaining to this invention can, after reviewing the application, make and use the invention. Additionally, the patent laws require that the application set forth the preferred implementation or "best mode" of carrying out the invention. If the application would not permit such persons of ordinary skill to make and use the invention, or if the inventors, at this time, know of a better way to make or use the invention than that which is described in the enclosed application, please add the information to the application or otherwise let us know.

Ms. Estella Pineiro
October 23, 1998
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As I believe you know, there is a duty to advise the Patent Office about prior information that is material to the patentability of the invention. Thus, please include any such information that we do not have prior to filing the application in the U.S. Patent and Trademark Office.

If you have any questions regarding any of the above, please give me a call.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mark M. Abumeri', with a stylized, flowing script.

Mark M. Abumeri

Enclosures

cc: Malcolm J. Romano, Esq. (w/o encl.)
Lisa P. Weinberg, Patent Agent (w/o encl.)
Drew S. Hamilton, Esq. (w/o encl.)
Michael H. Trenholm, Esq. (w/o encl.)

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